

O I P E JC1035
SEP 19 2001
PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of: S. Pestka
Serial No.: 09/891,093

Filed: June 25, 2001

For: Modified Interferons

Attorney Dkt: PBLI-P08-005

Commissioner for Patents
Washington, D.C. 20231

Attn: Customer Service Center
Initial Patent Examination Division

TRANSMITTAL LETTER

Dear Sir:

Responsive to the Notice to File Missing Parts of Nonprovisional Application mailed July 16, 2001 the following is enclosed:

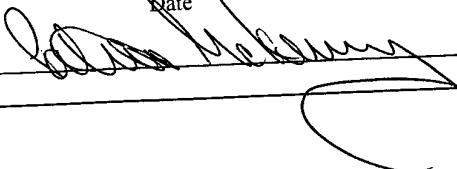
1. Copy of Notice to File Missing Parts of Nonprovisional Application (1 p.);
2. Response to Notice to File Missing Parts of Nonprovisional Application (1 p.);
3. Preliminary Amendment;
4. Sequence Listing; (disc and hard copy);
5. Copy of Declaration filed in parent case;
6. Copy of Verified Statement filed in parent case; and
5. Authorization to charge fees to deposit account no. 18-1945

The undersigned authorizes the charging of any additional fees and crediting of any overpayment associated with this communication to our Deposit Account No. 18-1945. The undersigned requests any extensions of time necessary to respond.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on:

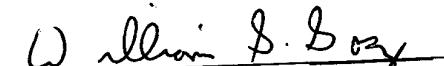
September 17, 2001

Date



Respectfully submitted,

ROPS & GRAY, LLP



William G. Gosz, Reg. No. 27,787

One International Place

Boston, MA 02110

Tel. (617) 951-7000



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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/891,093	06/25/2001	S. Pestka	PBLI-P05-005

CONFIRMATION NO. 9195

28120
ROPE & GRAY
ONE INTERNATIONAL PLACE
BOSTON, MA 02110-2624

R&G
Docket No.: PBLI-P05-005
Action: OAMP
Stat. Deadline: 16 Sept 01/16 Feb 02

FORMALITIES LETTER



OC000000006302843

Date Mailed: 07/16/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 420.**

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Ropes & Gray
Intellectual Property Dept.

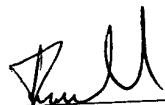
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For questions regarding compliance to these requirements, please contact:

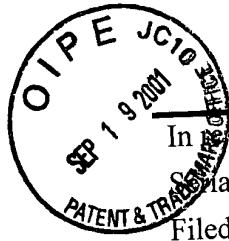
- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART I - ATTORNEY/APPLICANT COPY

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In re the application of: S. Pestka

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Commissioner for Patents

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Attn: Customer Service Center; Initial Patent Examination Division

RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

Dear Sir:

Copy of Notice to File Missing Parts of Nonprovisional Application

The undersigned authorized charging the \$355 basic filing fee and \$130 late filing fee, for a total of \$420, along with the charging of any additional fees and crediting of any overpayment associated with this communication to our Deposit Account No. 18-1945. The undersigned requests any extensions of time necessary to respond. A duplicate of this page is enclosed.

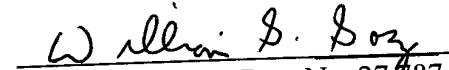
I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, DC 20231 on:

September 17, 2001

Date

Respectfully submitted,

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